IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 9600 of 2004

Between:

Manda Yadava Reddy, S/o. Late Bal Reddy, R/o. 17-1-382/BR/1, Brindavan

Colony, Saidabad, Champapet, Hyderabad.

... PETITIONER

AND

Commissioner of Police, Twin Cities of Hyderabad
Basheerabagh, Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring that the petitioner is entitled for No objection Certificate for construction of permanent Cinema Theatre in Sy.No. 108 & 109 of Ring Road, LB Nagar, towards Chandrayanagutta, Hyderabad and permission for construction of Cinema Theatre under Rules 8 & 9 of the A.P. Cinema Regulations and consequentially declare the inaction of the respondent in not issuing No Objection Certificate as illegal, arbitrary and contrary to the Rules

Counsel for the Petitioner: MR.C.NAGESWARA RAO

Counsel for the Respondent: GP FOR HOME

The Court made the following order:

ORDER:

Petitioner seeks a writ of mandamus declaring the action of the Commissioner of Police, Twin Cities, Hyderabad in not issuing the No Objection Certificate for the construction of the Cinema Theatre in S.Nos. 108 & 109 of Ring Road, L.B. Nagar, towards Chandrayanagutta, Hyderabad as illegal and arbitrary.

Learned counsel for the petitioner produced proceedings
No. L&O/A3/431/2004 dated 09.03.2005 of the Commissioner of Police, Hyderabad City stating that the S.Nos. 108 & 109 in question where the petitioner wants to construct a cinema theatre and obtain no objection certificate from the Commissioner of City Police falls under the limits of Cyberabad. Therefore, the said application of the petitioner was rejected, as the concerned authority for grant of no objection certificate is the Commissioner of Police, Cyberabad.

Therefore, I am of the opinion that the action of the respondents cannot be declared as illegal for not granting the no objection certificate. The only appropriate course open for the petitioner is to file a fresh application before the Commissioner of Police, Cyberabad for

grant of No Objection Certificate.

Accordingly, the writ petition is dismissed with a liberty to the petitioner to file a fresh application before the Commissioner of Police, Cyberabad. No costs.

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V. ESWARAIAH, J

April 12, 2005

Dsk

To

1. The Commissioner of Police, Twin Cities of Hyderabad, Basheerabagh, Hyderabad.
2. Two CCs to GP For Home, High Court Buildings, Hyderabad (OUT)

Two CD Copies.